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UNITED STATES OF AMERICA

16 UNITED STATES DISTRICT COURT

17 FOR THE CENTRAL DISTRICT OF CALIFORNIA

18 UNITED STATES OF AMERICA,

No. 2:23-MJ-1699-2

19 Plaintiff,

GOVERNMENT'S MEMORANDUM OF POINTS
AND AUTHORITIES IN SUPPORT OF BAIL
REVIEW AND DETENTION FOR DEFENDANT
HANNA TRINH DINH; EXHIBITS

20 v.

21 HANNA TRINH DINH,
aka "Hang Trinh Dinh",

Hearing Date: June 2, 2023

22 Defendant.

Hearing Time: 10:00 a.m.

23 Location: Courtroom of the
Hon. Fernando L.
Aenlle-Rocha

1 Plaintiff United States of America, by and through its counsel
2 of record, the United States Attorney for the Central District of
3 California, Assistant United States Attorney Roger A. Hsieh, and
4 Department of Justice Trial Attorneys Justin M. Woodard and Helen H.
5 Lee, hereby submits its Memorandum of Points and Authorities in
6 support of its application to: (1) review the Magistrate Judge's
7 decision setting terms and conditions of bail; and (2) request
8 detention for defendant HANNA TRINH DINH, also known as "Hang Trinh
9 Dinh" in the above-entitled matter based on flight risk and danger.

10 The government's application is based on the Memorandum of
11 Points and Authorities and Exhibits contained herein, the files and
12 records of this case, as well as any other evidence or argument that
13 the Court may wish to consider at the hearing on this request.

14 Dated: May 19, 2023

Respectfully submitted,

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16 United States Attorney

17 MACK E. JENKINS
18 Assistant United States Attorney
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19 /s/
20

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MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

3 On April 12, 2023, defendant Hanna Trinh Dinh, also known as
4 "Hang Trinh Dinh," learned there was a warrant for her arrest through
5 the FBI, her daughter, and an attorney. Through an attorney,
6 defendant stated she was willing to self-surrender on April 18, 2023.
7 She failed to do so. Instead of boarding a pre-purchased return
8 flight to Los Angeles to surrender, defendant bought a ticket on
9 Japan Airlines to a non-extradition country and fled to Asia with her
10 husband. Even after learning that her United States passport had
11 been revoked, defendant sought to travel to Thailand from Vietnam and
12 did not seek to self-surrender.

13 After evading law enforcement and being the subject of intensive
14 international efforts to apprehend her, defendant was finally caught
15 and returned to the United States more than three weeks after she
16 learned about her arrest warrant. At a detention hearing on May 9,
17 2023, Magistrate Judge Laurel Beeler of the Northern District of
18 California ordered defendant released on a \$500,000 secured bond,
19 without location monitoring, and with her husband -- who accompanied
20 defendant during her flight from justice -- to serve as a surety.

21 The Magistrate Judge's release conditions are woefully
22 insufficient to reasonably assure the appearance of defendant.
23 Defendant already fled to a non-extradition country after learning
24 about her arrest warrant from at least three different sources.
25 Defendant's argument that her flight from justice was a
26 "misunderstanding" is contradicted by the evidence. Because
27 defendant is a demonstrated flight risk and poses a danger to the
28 community, the government requests that the Court order her detained.

1 **II. FACTUAL BACKGROUND**

2 **A. Defendant is Charged By Complaint for Her Fraud Scheme**

3 On April 10, 2023, the government charged defendant and two co-
 4 defendants with wire fraud by a complaint. The complaint affidavit
 5 (Dkt. 1) detailed defendants' extensive scheme to submit
 6 approximately 70 fraudulent loan applications under the federal
 7 Paycheck Protection Program ("PPP") and the Economic Injury Disaster
 8 Loan ("EIDL") Program, in which the defendants obtained over \$3
 9 million in loan funds. In addition to the loan fraud scheme,
 10 defendant's brother, co-defendant Anthony Hao Dinh, engaged in a \$230
 11 million scheme to defraud the Health Resources and Services
 12 Administration ("HRSA") Uninsured Program, a program that covered
 13 only uninsured patients for certain COVID-19 testing and treatment.
 14 While defendant is not currently charged in this health care fraud
 15 scheme, she was identified as the biller of the fraudulent claims.

16 **B. Law Enforcement Attempts to Arrest Defendant, and Defendant
 17 Fails to Self-Surrender as Proposed**

18 On April 12, 2023, the FBI called defendant's phone at
 19 approximately 7:32 a.m. from outside her home to arrest her. No one
 20 picked up the phone. Defendant acknowledges seeing law enforcement
 21 outside her home from a Ring doorbell camera. After receiving a
 22 missed call from defendant around 7:52 a.m., the FBI called
 23 defendant's phone again and someone picked up but did not say
 24 anything. At approximately 8:00 a.m., the FBI called defendant's
 25 phone again and left a voicemail message that there was an arrest
 26 warrant for defendant. At approximately 10:11 a.m., law enforcement
 27 contacted defendant's daughter and informed her of defendant's arrest
 28 warrant. The daughter stated "ok" when law enforcement asked her to

1 notify defendant about the arrest warrant.

2 Later that day, Assistant United States Attorney Roger Hsieh
3 emailed Tom Brown, an attorney who previously stated he represented
4 defendant, regarding the arrest warrant for defendant. (Exhibit 1.)
5 AUSA Hsieh requested that defendant surrender the next day (April 13,
6 2023), and if she did not, noted that law enforcement would continue
7 to try to effectuate the arrest warrant. Mr. Brown responded that he
8 would not be representing defendant in the current criminal matter
9 but that defendant "has authorized me to discuss her self-surrender,
10 however." Defendant did not agree to the surrender date. Instead,
11 Mr. Brown stated that defendant had left the state before April 12,
12 2023, and Mr. Brown requested a self-surrender date six days later:
13 "I am authorized to work with you to arrange for her return and self-
14 surrender on Tuesday, April 18." Mr. Brown represented in the email
15 that defendant "is neither a flight risk" nor a danger.

16 AUSA Hsieh responded to Mr. Brown the same day with modified
17 options for defendant to self-surrender, either: (1) on April 13, by
18 11:00 a.m. local time at the nearest U.S. Attorney's Office in the
19 district where defendant was currently located (Mr. Brown did not
20 provide defendant's specific location); or (2) on April 14, by 11:30
21 a.m. at the U.S. Attorney's Office in Santa Ana, California. AUSA
22 Hsieh noted that law enforcement would look to execute the arrest
23 warrant if defendant did not self-surrender. Mr. Brown never replied
24 to the follow-up email from the government. As noted below, however,
25 Mr. Brown or his law firm had multiple contacts with defendant after
26 AUSA Hsieh sent the email with the modified options for self-
27 surrender. Defendant did not self-surrender on either of those dates
28 or on April 18, 2023, as she had proposed through Mr. Brown.

1 **C. Defendant Was Aware of the Arrest Warrant Through the FBI**
2 **and Multiple Calls with Attorneys and Her Daughter**

3 Call records from defendant's phone show that from approximately
4 7:53 a.m.¹ on April 12 and 4:34 p.m. on April 13, 2023 (converted
5 from UTC to Pacific Time), more than 12 calls and attempted calls
6 were made to and from defendant's phone to phone numbers associated
7 with Tom Brown, Brown White & Osborn (Mr. Brown's law firm), or Tyler
8 Creekmore, an attorney who works with Mr. Brown. Multiple calls
9 occurred after the FBI left a voicemail message on defendant's phone
10 regarding her arrest warrant, and there were calls after AUSA Hsieh
11 responded to Mr. Brown at approximately 6:38 p.m. on April 12 with
12 the modified options for defendant to self-surrender.

13 Call records also show that on April 12, 2023 -- just minutes
14 after law enforcement informed defendant's daughter of the arrest
15 warrant -- that defendant and her daughter had calls lasting
16 approximately 1 minute 54 seconds and 1 minute 20 seconds. Thus,
17 defendant was aware of her arrest warrant through the FBI's
18 voicemail, her daughter, and both Mr. Brown and Mr. Creekmore.

19 **D. Instead of Returning to Los Angeles on a Previously**
20 **Purchased Flight, Defendant Flees to Vietnam**

21 Databases showed that defendant was on a cruise ship that
22 departed from a port around Los Angeles on April 9, 2023, and that
23 the cruise ship was scheduled to stop in Vancouver, Canada around
24 April 14, 2023. Airline records show that on March 19, 2023,
25 defendant purchased a return ticket departing from Vancouver, Canada
26 to Los Angeles on April 14, 2023. This April 14 return flight to Los
27

28 ¹ Co-defendant Anthony Hao Dinh was arrested around 7:32 a.m.
on April 12, 2023.

1 Angeles was consistent with the representation that defendant would
2 self-surrender on April 18. Even though this return flight was
3 available for defendant to take to return to Los Angeles to self-
4 surrender, defendant did not board the April 14 return flight after
5 learning about her arrest warrant through multiple sources.

6 Instead of returning to Los Angeles, defendant purchased a
7 ticket on Japan Airlines on April 14 that departed Vancouver, Canada
8 on April 16 to Vietnam through Japan. Defendant purchased this
9 ticket after she represented through Mr. Brown on April 12 that she
10 was willing to self-surrender on the arrest warrant on April 18.
11 Defendant stayed in Canada until April 16, 2023, and then departed
12 Vancouver on the Japan Airlines flight to Vietnam through Tokyo with
13 her husband.

14 Well aware of her arrest warrant and having had numerous
15 contacts with attorneys Tom Brown and Tyler Creekmore, defendant
16 remained in Vietnam for over two weeks. Neither Mr. Brown nor Mr.
17 Creekmore contacted the government despite knowing that defendant was
18 in Vietnam and that the government had stated it would attempt to
19 effectuate the arrest warrant if defendant failed to self-surrender.
20 (Exhibit 2, ¶ 9.) The morning of April 25, 2023, defendant contacted
21 the U.S. Embassy. In a message, defendant made no mention of wanting
22 to turn herself in to law enforcement.² Instead, defendant requested
23

24 ² In a declaration, defendant's husband translates a message
25 defendant purportedly sent to the U.S. Embassy that claims to contain
26 a statement that, "Because April 12, FBI came to my house to bring me
27 to the Courthouse." (Dkt. 46 at 4, 7.) The government understands
28 that while U.S. Embassy has located a message from defendant, the
message did not include the statement just quoted. Further, the
purported message appears to be an unsubmitted draft. (See Dkt. 41,
Ex. 2 at 1 (noting that "[b]y hitting submit, you certify the above
information is true").) Regardless, that purported statement does

(footnote cont'd on next page)

1 a temporary permit to travel from Vietnam to Thailand through May
2 2023 and noted she could get back to the United States from Bangkok
3 without providing a specific date she would purportedly fly back to
4 the United States. This message made no mention of self-surrendering
5 to authorities.

6 In Vietnam, defendant switched hotels with her husband even
7 though this required her to pay for nights at the first hotel she
8 would not use herself. Switching hotels helped defendant evade
9 Vietnamese law enforcement who could not initially locate defendant.
10 Vietnamese authorities eventually found defendant later that day on
11 April 25 at her new hotel, and upon being approached, defendant did
12 not self-surrender. Instead, she claimed that she was Vietnamese and
13 therefore could not be arrested. Vietnamese officials detained
14 defendant, and defendant was placed on a flight from Ho Chi Minh City
15 to San Francisco accompanied by law enforcement. When the flight
16 landed at the San Francisco International Airport on the evening of
17 May 4, 2023, defendant was taken into federal custody and made her
18 initial appearance on May 5, 2023.

19 **E. Despite Defendant Actually Fleeing to a Non-Extradition
20 Country, the Magistrate Judge Orders Her Release**

21 Defendant's initial appearance hearing was continued to May 9,
22 2023. The day of the hearing, a former attorney for defendant, Tyler
23 Creekmore submitted a declaration. (Exhibit 2.) The declaration
24 states that on April 12, 2023, defendant "discovered through her Ring
25 doorbell that FBI agents went to her home early that morning." (Id.
26 at ¶ 3.) The declaration further claims that defendant "traveled to
27

28 not demonstrate that defendant tried to self-surrender. Instead, the
entire message shows that defendant's priority was to travel to
Thailand rather than self-surrender.

1 Vietnam and Thailand for business purposes" without specifying what
2 business purposes or providing any evidence of such. (Id. at ¶ 8.)
3 Instead, upon her entry to Vietnam, defendant told an immigration
4 official that she was traveling for tourism, not business. Mr.
5 Creekmore claims that on April 25, 2023, defendant was taken into
6 custody in Vietnam "after contacting the local United States
7 consulate to self-surrender." (Id. at ¶ 9.) Not so. As noted
8 above, defendant contacted the U.S. Embassy to seek a temporary
9 travel permit to travel to Thailand on specific dates. Defendant did
10 not represent to the U.S. Embassy that she would surrender to law
11 enforcement or provide a specific date on which she would purportedly
12 fly back to the United States. Further, the declaration does not
13 deny that the attorneys spoke with defendant about the need to self-
14 surrender and that the government would attempt to effectuate the
15 arrest warrant as the government made clear in its April 12 email.

16 At the conclusion of the hearing, Magistrate Judge Beeler denied
17 the government's detention request and issued a release order that
18 set a \$500,000 secured bond, without location monitoring, and
19 identified defendant's husband as a surety. (Exhibit 3.) This Court
20 stayed the release order and scheduled a hearing for June 2, 2023.

21 **III. ARGUMENT**

22 **A. Legal Standard**

23 The Court must detain a defendant when "no condition or
24 combination of conditions will reasonably assure the appearance of
25 the person as required and the safety of any other person and the
26 community," 18 U.S.C. § 3142(e). Detention is appropriate where a
27 defendant is either a danger to the community or a flight risk; it is
28 not necessary to prove both. United States v. Motamed, 767 F.2d

1 1403, 1406 (9th Cir. 1985); United States v. Kouyoumdjian, 601 F.
2 Supp. 1506, 1508-10 (C.D. Cal. 1985). A finding that pretrial
3 release will not guarantee the appearance of the defendant need only
4 be supported by a preponderance of the evidence. Motamedi, 767 F.2d
5 at 1406. A finding that a defendant is a danger to the community
6 needs to be supported by clear and convincing evidence. 18 U.S.C.
7 § 3142(f).

8 This Court's review of the detention issue is de novo. United
9 States v. Koenig, 912 F.2d 1190, 1192 (9th Cir. 1990). While the
10 "district court is not required to start over . . . and proceed as if
11 the magistrate's decision and findings did not exist," the district
12 court "should review the evidence before the magistrate and make its
13 own independent determination whether the magistrate's findings are
14 correct, with no deference." Id. at 1193. In support of that task,
15 the district court may hold additional evidentiary hearings, if the
16 court concludes such hearings would be helpful. Id. Under Section
17 3142(g), the Court should consider factors including the history and
18 characteristics of the defendant, the weight of the evidence against
19 the defendant, and the danger to the community if defendant was
20 released.

21 The rules concerning admissibility of evidence in criminal
22 trials do not apply to a detention hearing. 18 U.S.C.
23 § 3142(f) (2) (B). The government may proceed in a detention hearing
24 by way of proffer. United States v. Smith, 79 F.3d 1208, 1209-10
25 (D.C. Cir. 1996) (citing cases). The rationale for permitting
26 detention hearings to proceed by way of proffer is that such hearings
27 are "neither a discovery device for the defense nor a trial on the
28 merits." Id. at 1210. "The process that is due is only that which

1 is required by and proportionate to the purpose of the proceeding.”
2 Id. That purpose does not include the right to confront non-
3 testifying government witnesses. See United States v. Accetturo, 783
4 F.2d 382, 388-89 (3d Cir. 1986).

5 **B. The Section 3142(g) Factors Clearly Support Detention**

6 Here, the Section 3142(g) factors weigh heavily in favor of
7 detention. Particularly, defendant is a demonstrated flight risk who
8 chose to flee to Vietnam even after learning about her arrest warrant
9 and representing through an attorney she would self-surrender.

10 1. Defendant’s Character and History: Fleeing and Falsely
11 Representing that She Will Self-Surrender

12 First, defendant’s character and history weigh heavily in favor
13 of detention. Defendant was born in Vietnam, which is exactly where
14 she fled to upon learning of her arrest warrant. Any purported
15 excuse that defendant “did not grasp the serious nature of this case
16 until she reached Vietnam” is simply not true and refuted by the
17 evidence in this case. (Exhibit 2, ¶ 10.) Prior counsel attempts to
18 frame defendant as someone trying to evade service of a “subpoena to
19 appear before the grand jury[.]” (Id., ¶ 3.) In reality, defendant
20 knew about the arrest warrant through the voicemail from the FBI,
21 conversations with her daughter, and multiple conversations with
22 attorneys Tom Brown and Tyler Creekmore. Further, through counsel,
23 defendant represented that she would self-surrender on April 18. But
24 instead of getting on a pre-purchased return flight to Los Angeles to
25 self-surrender after learning of her arrest warrant, she purchased a
26 new ticket, fled to Vietnam, and returned to the United States only
27 after being apprehended by Vietnamese law enforcement.

1 Defendant's misrepresentation of her willingness to self-
2 surrender through counsel, flight to Vietnam to avoid prosecution,
3 and attempt to obtain a temporary travel permit to Thailand even
4 after learning of her revoked passport, all strongly support
5 detention. See United States v. Nicherie, 2004 WL 7331735, at *5
6 (C.D. Cal. Apr. 21, 2004) (finding that defendant posed a risk of
7 flight where defendant had previously fled the United States when
8 facing charges in another case, evaded FBI authorities, stated that
9 he needed two weeks to surrender but failed to do so, and voluntarily
10 returned to the United States later). Any assurance from counsel at
11 this point that defendant will purportedly not flee if released must
12 be viewed against this backdrop, past performance being the best
13 predictor of future behavior. Just last month, Mr. Brown represented
14 that defendant was not a flight risk and willing to self-surrender on
15 April 18.

16 Defendant's husband submitted a declaration that claims
17 defendant's trip to Thailand that was planned for more than a year,
18 insinuating that her travel to Southeast Asia was not to evade law
19 enforcement. Defendant, however, never claims that she planned to
20 travel to Southeast Asia directly from Vancouver, Canada. After
21 learning about her arrest warrant, defendant inexplicably "no showed"
22 for her April 14 flight back to Los Angeles from Canada and instead
23 purchased an international flight to a non-extradition country that
24 departed two days later for a trip purportedly planned more than a
25 year ago.

26 Further, defendant travels to Vietnam approximately once a year,
27 as well as to Europe and other countries in Asia once a year. See
28 23-MJ-70616 (N.D. Cal.), Dkt. No. 4 at 2. Defendant's husband

1 reported that defendant has traveled outside of the United States
2 "many times." Id. Defendant's substantial international contacts
3 further support detention. See Koenig, 912 F.2d at 1193 (defendant
4 detained as a flight risk because of, inter alia, foreign contacts).
5 While in Vietnam, defendant was approached by Vietnamese authorities
6 and claimed that she was a Vietnamese citizen in attempt to avoid
7 arrest. This statement could be at odds with defendant's statement
8 to her pretrial services officer that she is a naturalized U.S.
9 citizen. 23-MJ-70616 (N.D. Cal.), Dkt. No. 4 at 2.

10 Defendant's reported employment history includes being the
11 "owner" of HD Financial Firm. Id. at 3. This is the very same
12 company through which defendant allegedly sought to obtain multiple
13 fraudulent PPP and EIDL Program loans, and about which she made false
14 statements and submitted fake tax and bank records. Defendant's
15 reported employment history also includes working for approximately
16 11 years at "Elite," which is known to be the medical practice run by
17 co-defendant Anthony Hao Dinh, who is alleged to have orchestrated an
18 over \$230 million fraud through Elite and other businesses.
19 Defendant was the biller for those allegedly fraudulent businesses.
20 Notably, the list of employment reported by defendant to her pretrial
21 services officer do not appear to relate to international travel.
22 And despite her former attorney's claim that defendant was on
23 business travel, defendant told a Vietnamese immigration officer that
24 she was in the country for tourism upon arrival.

25 A co-defendant -- who did not flee law enforcement -- was
26 arrested without incident and released on \$7 million bail secured by
27 real property and confined to home detention with location
28 monitoring. Restrictions such as these would be insufficient to

1 reasonably assure the appearance of this defendant. Defendant
2 already chose to flee to a non-extradition country. Electronic
3 monitoring would also be of little consequence when compared to the
4 significant incentive that defendant has to flee. See United States
5 v. Megahed, 519 F. Supp. 2d. 1241, 1244 (M.D. Fla. 2007) ("Neither
6 electronic monitoring nor the GPS system of surveillance defeats the
7 resolute, resourceful, energetic, and non-compliant releasee.").
8 Defendant could remove her location monitoring, obtain a fake
9 passport, and flee to another country through Canada or Mexico. See,
10 e.g., United States v. Ayvazyan, CR 20-579-SVW (C.D. Cal. Jan. 3,
11 2022), Dkt. 1230 at 3-4 (describing defendant on location monitoring,
12 who surrendered passport, and then removed his location monitoring
13 bracelet and absconded)³; see also United States v. Mercedes, 254
14 F.3d 433, 437 (2d Cir. 2001) (reversing grant of pre-trial release
15 noting that home detention, family assurances, and electronic
16 monitoring not sufficient in face of strong evidence that defendant
17 presented flight risk and danger to community).

18 Further, any arguments that defendant has strong ties to the
19 Central District of California or supportive family members does not
20 assure defendant's appearance at future hearings. Despite having
21 children and a home in the Central District of California, defendant
22 chose to flee to Vietnam after learning of her arrest warrant.
23 Further, defendant was in contact with her daughter and fled to
24 Vietnam with her husband. Thus, defendant's family members could

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26
27

³ Defendant Richard Ayvazyan and his co-defendant wife
28 successfully fled to Montenegro despite having surrendered their
passports and being on location monitoring. See
<https://www.justice.gov/usao-cdca/pr/former-san-fernando-valley-couple-extradited-united-states-montenegro-begin-prison>.

1 have assisted defendant in remaining a fugitive.

2 Defendant's actual flight to a non-extradition country shows
3 that the conditions of release imposed by the Magistrate Judge are
4 insufficient. Defendant poses a serious, palpable risk of flight and
5 no bond can reasonably assure that she will comply with pretrial
6 release conditions.

7 2. Nature and Seriousness of the Offense Charged and
8 Weight of the Evidence Support Detention

9 Second, the crime of wire fraud charged against defendant is
10 serious, and the evidence of that fraud against defendant and her co-
11 defendants is very strong. As detailed above, defendant engaged in a
12 substantial, sophisticated financial fraud scheme that sought to
13 steal millions in taxpayer dollars. There is strong evidence against
14 defendant, including false loan applications, fake tax documents,
15 altered bank records, phone records, and IP address information.
16 Defendant's alleged crime is one of lies and deceit: the very type of
17 crime that shows a defendant has the ability and motive to deceive
18 authorities and flee.

19 Defendant faces significant prison time, including a 20-year
20 statutory maximum sentence on the charge of wire fraud. See 18
21 U.S.C. § 1343. Relevant conduct, the reasonably foreseeable acts of
22 co-conspirators, and other evidence could make defendant's guidelines
23 range much higher than those cited by the defense. The likelihood of
24 a significant sentence provides defendant an incentive to flee. See
25 United States v. Townsend, 897 F.2d 989, 995 (9th Cir. 1990)
26 ("[c]onsideration of the nature of the offenses charged involves
27 consideration of the penalties"); United States v. Possino, 2013 WL
28 1415108, at *4 (C.D. Cal. Apr. 8, 2013) ("The weight of the evidence

1 against [defendant] is strong. Defendant's awareness of a potentially
2 lengthy prison sentence and the perception of a likely conviction
3 constitute powerful motivations to flee.").

4 These factors weigh towards defendant's detention. See United
5 States v. Al-Arian, 280 F. Supp. 2d 1345, 1358 (M.D. Fla. 2003) ("the
6 stronger the government's case, especially if the sentence will be
7 severe, the greater a defendant's incentive to flee").

8 3. Defendant is a Danger to the Community if Released

9 Finally, defendant presents a danger to the community if
10 released. As noted above, defendant and her co-defendants submitted
11 approximately 70 fraudulent loan applications and received more than
12 \$3 million in proceeds. The affidavit in support of the complaint
13 also details a \$230 million fraud scheme against the HRSA Uninsured
14 Program which concern the largest HRSA uninsured patient fraud in the
15 country with over \$150 million paid. Although the defendant is not
16 currently charged with health care fraud, she was identified as the
17 biller who submitted the fraudulent claims. Defendant's fraud scheme
18 took advantage of programs designed to help those in need during the
19 COVID-19 pandemic, and financial fraud is a recognized danger to the
20 community. See, e.g., United States v. Dupree, 833 F. Supp. 2d 241,
21 244-45 (E.D.N.Y. 2011). Even if confined to her home, defendant
22 could still perpetrate her fraud schemes against others.

23 **IV. CONCLUSION**

24 Defendant fled from justice and continues to be a flight risk
25 and remains a danger to the community. Accordingly, the government
26 respectfully requests that the Court order defendant detained.

27

28